

EXHIBIT E

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION
4 --oo--
5 WAYMO LLC,
6 Plaintiff,
7
8 vs. Case No. 3:17-cv-00939-WHA
9 UBER TECHNOLOGIES, INC.;
10 OTTOMOTTO LLC; OTTO TRUCKING LLC,
11 Defendants.
12 /
13 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
14
15 30(b)(6) VIDEOTAPED DEPOSITION OF LIOR RON
16 VOLUME II
17 TUESDAY, DECEMBER 12, 2017
18
19
20 Reported by:
21 Anrae Wimberley
22 CSR No. 7778
23 Job No. 2771228B
24
25 Pages 306 - 434

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1 will work and be most convenient for you. 17:26:43

2 But you know, look. You closed the last

3 deposition, and I'll give you some wiggle room if

4 you made a mistake. It's okay.

5 MR. SCHMIDT: All right. I'm going to move on 17:26:53

6 because this is wasting my time.

7 MR. RABIN: So how do you want to proceed?

8 MR. SCHMIDT: I'm going to ask the questions

9 that I think need to be asked. And if the witness

10 refuses to answer the questions, then we'll take it 17:27:07

11 up later as appropriate.

12 I think the transcript is very clear on

13 what's going on here.

14 BY MR. SCHMIDT:

15 Q. Sir, was Slack used at Ottomotto in 17:27:21

16 conjunction with the negotiations that led to the

17 acquisition of Ottomotto by Uber?

18 A. No. I do not believe we've used Slack to

19 communicate with Uber on any matters related to the

20 negotiation. 17:27:41

21 Q. Were any forms of communication that you

22 consider ephemeral communications used during the

23 negotiations that led to the acquisition of

24 Ottomotto by Uber?

25 A. No, not to the best of my knowledge. 17:27:58

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1 Q. What methods of communications were used 17:42:28
2 regarding the negotiations for Uber's acquisition of
3 Ottomotto?
4 A. Again, the topic here is around ephemeral,
5 and so are you asking in my personal capacity sort 17:42:43
6 of all the communication channels?
7 Q. I just want to know whatever communication
8 channels you can recall that were used to
9 communicate about the acquisition of Ottomotto by
10 Uber. 17:43:00
11 MR. RABIN: You can answer. If it's ephemeral,
12 you can do it in your corporate capacity. If it's
13 not ephemeral, you can do it in your individual
14 capacity.
15 THE WITNESS: Right. So I don't think -- in my 17:43:08
16 corporate capacity, I don't think any of the
17 communication methods were ephemeral, meaning sort
18 of used in communication channels that are designed
19 to not store messages by default.
20 In my personal capacity I believe there 17:43:22
21 was e-mail and text messages used, if I recall
22 correctly.
23 MR. RABIN: And let me just stop one second.
24 So just for the record, I'm allowing you
25 to proceed on this basis so as not to impede it. 17:43:36

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1 A. Well, as I've conversed with James, I 18:16:43
2 don't believe he used it, and he does -- to the best
3 of my understanding and his understanding, nobody on
4 his team has used that tool as well.

5 And as we've discussed before, Anthony got 18:16:56
6 an invitation to that tool, but I'm not aware of any
7 communication whatsoever that Anthony had on the
8 tool at all, and on the tool specifically relating
9 to LiDAR.

10 Q. Did you ask Mr. Levandowski if he 18:17:15
11 communicated on Wickr about LiDAR development?

12 MR. RABIN: Objection; form.

13 THE WITNESS: I have not asked Anthony directly
14 that question. But it is my understanding that he
15 got an invitation from the ThreatOps team as a 18:17:33
16 follow-up to our meeting on market data, and it had
17 nothing to do with LiDAR development whatsoever.

18 That's my understanding.

19 BY MR. SCHMIDT:

21 A. It's based on the dates of that invitation
22 being sent in the time frame of our discussion with
23 the ThreatOps team.

24 It's based on the fact that the invitation
25 came on the same e-mail to the two of us, and only 18:18:04

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1 the two of us, and not to any other sort of LiDAR 18:18:08
2 team members.

3 And it came -- and it stems from my
4 understanding that the LiDAR team has not used Wickr
5 for their job. 18:18:22

6 And I believe I haven't seen names of
7 LiDAR team members on that list of Wickr users at
8 Uber, but I'm happy to take another look to refresh
9 my memory and be definitive on that answer.

10 Q. I'm sorry, I just don't have time to help 18:18:40
11 you prepare for your corporate testimony. So if
12 you're not able to say --

13 MR. RABIN: Counsel, please be respectful to
14 the witness.

15 MR. SCHMIDT: Counsel, don't make speaking 18:18:50
16 objections.

17 MR. RABIN: I'm not. I'm asking you to please,
18 as an officer of the Court, be respectful in the
19 deposition to the witness. What you're doing is not
20 respectful.

21 MR. SCHMIDT: All right. I'm moving on.
22 You're wasting my time again.

23 MR. RABIN: And don't tell me I'm wasting your
24 time. I'm trying to ask you to be respectful.
25 Okay?

1 FEDERAL CERTIFICATE OF DEPOSITION OFFICER
2

I, ANRAE WIMBERLEY, CSR NO. 7778, do hereby
declare:

That, prior to being examined, the witness
named in the foregoing deposition was by me duly
sworn pursuant to Section 30(f)(1) of the Federal
Rules of Civil Procedure and the deposition is a
true record of the testimony given by the witness;

That said deposition was taken down by me in
shorthand at the time and place therein named and
thereafter reduced to text under my direction;

--X--- That the witness was requested to
review the transcript and make any changes to the
transcript as a result of that review pursuant to
Section 30(e) of the Federal Rules of Civil
Procedure;

----- No changes have been provided by the
witness during the period allowed;

----- The changes made by the witness are
appended to the transcript;

----- No request was made that the
transcript be reviewed pursuant to Section 30(e) of
the Federal Rules of Civil Procedure.

I further declare that I have no interest in
the event of the action.

I declare under penalty of perjury under the
laws of the United States of America that the
foregoing is true and correct.

WITNESS my hand this 13th day of December,
2017.

Anrae Wimberley

ANRAE WIMBERLEY, CSR NO. 7778